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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,577	03/30/2005	Eva-Maria Leppanen	059643.00596	7884

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EXAMINER	
NOORISTANY, SULAIMAN	
ART UNIT	**PAPER NUMBER**
2146	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/529,577	LEPPANEN ET AL.	
	Examiner	Art Unit	
	Sulaiman Nooristany	2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *03 October 2007* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *03/30/2005 & 10/17/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Detailed Action

This Office Action is response to the application (10/529577) filed on 30 March 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a), which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Mathis** U.S Patent No. **US 6993327** in view of **Philonenko** U.S Patent App. No. **US 20030009530.**

Regarding claim 1, 21, 23, 24, 26-28 Mathis teaches wherein a communication system comprising:

at least one user with which presence information is associated **(Fig. 1, unit 102 – user A)**, (*Note: Mathis discloses in abstract "A contact list (122, 124, 126, 128), associated with each communication device, identifies one or more of the other communication devices"),* But Mathis does not explicitly teach *identifying an application for which said at least one part is intended.*

Philonenko teaches that is well known that to utilize said presence information comprising a plurality of parts,

at least one of said parts comprising information identifying an application for which said at least one part is intended **(identification parameter (member ID number) – [0146])**; and

at least one entity to which presence information associated with said at least one user is provided, said at least one entity comprising at least one application **(entities include agents, clients, machines, and software applications – [0021])**,

said at least one entity being configured to use said information to obtain the at least one part of said presence information intended for said at least one entity application of the at least one entity **(The application is characterized in that any given one or more of the networked entities may singularly or in plural spawn one or more agents whereupon the agents each spawn a container that is populated with current targeted presence and state information in most recent updated form – [0019]; For example, a client may configure as many devices into the system as desired for enabling agent callbacks under a variety of circumstances – [0119])**.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Mathis's invention by utilizing software (application) which is monitoring and reporting application and providing for reporting presence information of networked entities in real time. In addition, the application includes a software agent for generating a presence information model; a data store for storing presence information tuples; and a monitor for detecting presence information updates and for synchronizing the updates with information in the data store. Furthermore, while presence information is flexible and useful for reporting information about agents to

clients and about clients to agents, it has occurred to the inventors that there also exists an opportunity for using such a presence protocol for managing the communication center itself in terms of internal policy, and member-to-member communication within the center whether agent-to-agent, machine-to-machine, agent-to-machine, or machine-to-agent, as taught by Philonenko.

Regarding claim 2, Mathis and Philonenko together taught the system of claim 1, as described above. Mathis further teaches wherein said at least one entity is configured to receive said at least one part of said information **(Fig. 2, unit 260 – each client device configures itself to receive multicast messages).**

Regarding claim 3, Mathis and Philonenko together taught the system of claim 2, as described above. Mathis further teaches wherein said entity is configured to direct said at least one part of said information to the identified entity application **(Fig. 2, unit 260 -- Fig. 2, unit 260 – each client device configures itself to receive multicast messages send to the multicast addresses)**.

Regarding claim 4, Mathis and Philonenko together taught the system of claim 1, as described above. Philonenko further teaches wherein said entity comprises an application engine **(software agent – [0023])**, which is configured to direct said at least one part of said information to the identified entity application **(every client subscribing to the system of the present invention is provided with at least an identification**

parameter (member ID number). In this way, data obtained and stored from internal and external sources is easily identifiable to a particular client – [0146]).

Regarding claim 5, Mathis and Philonenko together taught the system of claim 1, as described above. Philonenko further teaches wherein said entity is a user **(Fig. 5, unit 129, 133, 139).**

Regarding claim 6, Mathis and Philonenko together taught the system of claim 1, as described above. Philonenko further teaches wherein said entity is configured to receive said at least one part of said information in response to a request from entity **(Instant messages propagated back and forth between entities can be response notifications based on requests of a principle, or pushed as periodic status change notifications to a monitoring application – [0189]).**

Regarding claim 7, Mathis and Philonenko together taught the system of claim 1, as described above. Philonenko further teaches wherein said at least one user comprises at least one application **(Fig. 5)**.

Regarding claim 8, Mathis and Philonenko together taught the system of claim 1, as described above. Mathis further teaches wherein the at least one user comprises a presence engine **(A user may connect to an IM server to establish and download**

presence information – Col. 2, lines 62-65).

Regarding claim 9, Mathis and Philonenko together taught the system of claim 8, as described above. Mathis further teaches wherein said at least one application is configured to register with said presence engine said information identifying said application **(Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is capable of identifying one or more of the other client devices connected to the communication network – Col. 3, lines 42-45).**

Philonenko further teaches wherein "register" **(Fig. 9, "Add/Edit Information" steps -- 127, 129, 131, & 133)**

Regarding claim 10, Mathis and Philonenko together taught the system of claim 8, as described above. Mathis further taught wherein at least one of said at least one application and said presence engine is configured to add said identifying information to at least one part of the presence information **[Please see above rejections claims 8 & 9]**.

Regarding claim 11, Mathis and Philonenko together taught the system of claim 1, as described above. Mathis further teaches wherein 1, wherein said at least one user comprises user equipment **(Fig. 1, units 102, 104, 106, & 108)**.

Regarding claim 12, Mathis and Philonenko together taught the system of claim 1, as described above. Philoneko further teaches wherein said presence information comprises at least one of the following parts of information:
subscriber status; network status; communication means; contact provided location; network provided location; text; priority; favorite color **(Fig. 6, unit 99 and 101; Fig. 7).**

Regarding claim 13, Mathis and Philonenko together taught the system of claim 1, as described above. Mathis further teaches wherein the system operates in accordance with a session initiation protocol **(SIP – [0100])**.

Regarding claim 14, Mathis and Philonenko together taught the system of claim 1, as described above. Mathis further teaches wherein said part of information comprises a tuple **(Fig. 11, unit 1107 -- Tuples).**

Regarding claim 15, Mathis and Philonenko together taught the system of claim 14, as described above. Mathis further teaches wherein said tuple comprises **[see above rejection]**;

Philonenko further teaches wherein information identifying said user and said application identifying information **(every client subscribing to the system of the present invention is provided with at least an identification parameter (member ID number) – [0146]).**

Regarding claim 16, Mathis and Philonenko together taught the system of claim 1, as described above. Philonenko further teaches wherein said entity is configured to request only one or more parts of said presence information processed by one or more applications of said entity **(Fig. 3)**.

Regarding claims 17 and 19, Mathis and Philonenko together taught the system of claim 16, as described above. Philonenko further teaches wherein a filtering is provided to provide only the requested parts of said presence information. **(filtering status information that closely matches a user request – [0056]).**

Regarding claim 18, Mathis and Philonenko together taught the system of claim 17, as described above. Philonenko further teaches wherein said filtering unit is provided in at least one of a server **[see above rejection claim 17 & 19]**, a presence server: and said at least one user **(presence server – [0066]; Fig. 1).**

Regarding claim 20, 22 and 25, Mathis and Philonenko together taught the system of claim 1, as described above. Mathis further teaches wherein said entity application is configured to process the at least one part of the presence information that comprises information identifying said entity application **(a presence service that distributes information on user status – Col. 2, lines 50-51; Each client device 102, 104, 106, 108 includes a contact list 122, 124, 126, 128 (a.k.a. a buddy list) that is identifying**

one or more of the other client devices connected to the communication network

– Col. 3, lines 42-45)

Response to Amendment

Applicant's arguments with respect to claim(s) 1-28 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sulaiman Nooristany whose telephone number is (571) 270-1929. The examiner can normally be reached on M-F from 9 to 5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu, can be reached on (571) 272-6798. The fax phone number for the organization where

this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sulaiman Nooristany 12/04/2007

JEFFREY PWU
SUPERVISORY PATENT EXAMINER